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ACTION ARA-10

INFO OCT-01 ISO-00 DHA-02 SY-05 MCT-01 CIAE-00 DODE-00
PM-04 H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01
PRS-01 SP-02 SS-15 USIA-06 ORM-02 DRC-01 /067 W
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R 171806Z MAY 77
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 0518

SECTION 1 OF 2 BUENOS AIRES 3631

C O R R E C T E D C O P Y FOR CLASS [REDACTED] VICE [REDACTED]/

E.O. 11652: N/A
TAGS: PINT PINS SHUM AR
SUBJECT: HUMAN RIGHTS ROUNDUP NO. 14

REF: BUENOS AIRES 3455

1. CHURCH-STATE RELATIONS: THE ARGENTINE BISHOPS' CONFERENCE RELEASED A DOCUMENT MAY 7 VOICING CONCERN OVER FREQUENT DISAPPEARANCES AND KIDNAPPINGS, LACK OF INFORMATION ON DISAPPEARANCES AND DETENTION CASES PROVIDED TO FAMILIES BY THE GOVT, LENGTHY DETENTIONS WITHOUT CHARGE, AND APPARENT USE OF TORTURE ON PRISONERS. (SEE SEPTTEL.) THE DOCUMENT, THE MOST DIRECT CRITICISM OF THE GOVT YET PUBLICLY RELEASED BY THE CHURCH, SAID THAT THE CHURCH CANNOT IN GOOD CONSCIENCE REMAIN QUIET IN THE FACE OF EXTREME PERSONAL SUFFERING OCCASIONED BY THE GOVT'S ANTI-SUBVERSION EFFORT AND ECONOMIC POLICIES. IT ALSO WARNED THE GOVT THAT, WHILE THE CHURCH STRONGLY REJECTS MARXISM, REPRESSIVE GOVT POLICIES COULD LEAD THE PEOPLE TO ADOPT MARXIST SYMPATHIES. RESPONDING TO A QUESTION AT A PRESS CONFERENCE IN VENEZUELA MAY 12, PRESIDENT VIDELA SAID THE CHURCH DOCUMENT DOES NOT SIGNAL A CONFRONTATION BETWEEN THE CHURCH AND THE GOVT, BUT IS INSTEAD A JUSTIFIABLE EXPRESSION OF CONCERNS WHICH ARE SHARED BY CERTAIN SECTORS OF PUBLIC OPINION. THE PRESIDENT SAID THAT

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ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

() Release (X) Excise () Deny

Exemption(s): B-1

Declassify: (X) In Part () In Full

(X) Classify as C () Extend as () Downgrade to

Date 4/19/01 Declassify on 4/19/11 Reason 25X 6

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THE GOVT ACCEPTS "THE REFLECTIONS OF THE ARGENTINE CHURCH WHICH IN PART CORRESPOND TO A VERY SAD REALITY THAT MUST BE OBJECTIVELY RECOGNIZED." HE SAID THAT DISAPPEARANCE CASES INCLUDE SUBVERSIVES WHO PRETEND TO BE KIDNAPPED, ARE KILLED BY THEIR OWN COMRADES, OR GO UNDERGROUND AND COMMIT SUICIDE AS WELL AS THOSE CASES WHICH RESULT FROM EXCESSIVE REPRESSION BY THE "FORCES OF ORDER".

2. ANTISEMITISM: FOUR REPRESENTATIVES OF THE DELEGATION OF ARGENTINE-ISRAELI ASSOCIATIONS (DAIA) MET WITH INTERIOR MINISTER HARGUINDEGUY MAY 11 TO EXPRESS CONCERN OVER RECENT ANTISEMITIC INSINUATIONS AND ATTACKS IN MEDIA REPORTS ON VARIOUS CORRUPTION AND SUBVERSION SCANDALS. HARGUINDEGUY REPORTEDLY ASSURED THEM THAT GOVT INVESTIGATION OF PERSONS RESPONSIBLE FOR CRIMINAL ACTS HAD NOTHING TO DO WITH THEIR SOCIAL OR RELIGIOUS AFFILIATION. SEPARATELY, GOA ON MAY 11 BANNED TWO PRO-NAZI BOOKS AND PLACED UNDER EXECUTIVE DISPOSITION THE AUTHOR OF ONE OF THEM, JULIO CESAR URIEN. A JEWISH SYNAGOGUE WAS DAMAGED BY A BOMB IN BUENOS AIRES PROVINCE MAY 6. NO ONE WAS HURT IN THE BLAST.

3. TERRORIST CONFRONTATIONS: OFFICIAL ARMY COMMUNIQUE CONTINUE TO REPORT A SIGNIFICANT NUMBER OF TERRORISTS KILLED IN CONFRONTATIONS WITH SECURITY FORCES WHICH ARE USUALLY DESCRIBED AS RAIDS ON TERRORIST HIDEOUTS AND ATTEMPTS BY SUBVERSIVES TO EVADE IDENTIFICATION CHECKS AND ROAD BLOCKS. MORE THAN 350 ALLEGED TERRORISTS HAVE BEEN REPORTED KILLED IN PRESS ACCOUNTS SINCE THE BEGINNING OF 1977. IN FRIDAY'S (MAY 13) PRESS, FOR EXAMPLE, FIVE PERSONS WERE REPORTED KILLED IN A CAR CHASE AND SHOOTOUT WITH POLICE, TWO REPORTEDLY DIED IN A POLICE RAID IN A BA RESIDENTIAL SUBURB, AND ONE PERSON WAS SHOT TO DEATH AND ANOTHER DIED AFTER TAKING A CYANIDE CAPSULE AFTER POLICE ATTEMPTED TO ARREST THEM FOR DRIVING A STOLEN CAR. THE SECOND ARMY CORPS ANNOUNCED ON MAY 2 THAT AN UNNAMED "MARXIST-LENINIST SUBVERSIVE DELINQUENT" WAS KILLED WHILE ATTEMPTING TO ESCAPE FROM CUSTODY IN PARANA. EMBASSY SOURCES INDICATE THAT GOA SECURITY FORCES ARE CONTINUING TO RAPIDLY ELIMINATE PERSONS

[REDACTED]

[REDACTED]

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BELIEVED TO BE ACTIVELY INVOLVED IN ARMED TERRORISM BEFORE THOSE PERSONS ARE ARRESTED TO ACKNOWLEDGED AS BEING IN THE HANDS OF THE GOVT. (PARA 5 OF BA 2053 REPORTS EXPLANATION GIVEN TO EMBOFFS BY AN ARGENTINE MILITARY OFFICIAL THAT THE "DIRTY WAR" REQUIRES AN APPROPRIATE SOLUTION," I.E. LIQUIDATION

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OF TERRORISTS.) EMBASSY RSO IS REPORTING BY SEPTELS A WEEKLY POLICE BLOTTER LIST OF TERRORIST ACTIVITIES AND CONFRONTATIONS FROM INFORMATION PROVIDED BY POLICE SOURCES AND RADIO MONITOR REPORTS WHICH IS SENT AS A GUIDE TO THE LEVEL OF TERRORIST AND COUNTER-TERRORIST ACTIVITY. IT SHOULD NOT BE TAKEN AS A COMPLETE AND CONFIRMED ACCOUNT OF SUCH ACTIONS DURING THE TIME FRAME SPECIFIED.

4. SUBVERSIVES SENTENCED: A SPECIAL MILITARY COURT MARTIAL HAS SENTENCED FIVE SUBVERSIVES TO SENTENCES RANGING FROM TEN YEARS FOR "INCITING TO VIOLENCE AND DISTURBING PUBLIC ORDER" AND "ATTACKING COMMUNICATIONS MEDIA" TO THREE AND TWO YEARS FOR "DISOBEYING AUTHORITIES." THE SENTENCES WERE ANNOUNCED BY THE FIRST ARMY CORPS ON MAY 6.

5. JUSTICE SYSTEM: THE PENAL CHAMBER OF THE FEDERAL COURT HAS OVERRULED A LOWER COURT'S REJECTION OF A HABEAS CORPUS WRIT AND EXPRESSED CONCERN OVER THE REPEATED FAILURE OF JUDGES TO ASCERTAIN BOTH THE AUTHORITY RESPONSIBLE FOR ORDERING AN ARREST AND THE REASONS FOR THE ARREST. THE RULING CHASTIAED A LOWER COURT FOR FAILING TO SEEK FURTHER INFORMATION ON THE ARREST OF OMAR ANTONIO COSENTINO AFTER BEING INFORMED BY THE INTERIOR MINISTRY THAT COSENTINO WAS IN CUSTODY OF A "SPECIAL WAR TRIBUNAL." THE CHAMBER NOTED THAT THE CRIMINAL PROCEDURES CODE REQUIRES IDENTIFICATION OF THE ARRESTING AUTHORITY, THE CAUSE AND A CLEAR EXPLANATION OF THE REASONS FOR ARREST AND DETENTION, WITHOUT WHICH THE PRISONER MUST BE RELEASED. PRESS REPORTS DID NOT ELABORATE ON WHAT EFFECT THE FEDERAL COURT'S RULING HAD ON COSENTINO'S CASE. COMMENT: DESPITE VARIOUS RULINGS RECENTLY HANDED DOWN BY FEDERAL JUDGES EMPHASIZING THE RESPONSIBILITY OF THE JUDICIAL BRANCH IN ENSURING CITIZENS'

[REDACTED]

[REDACTED]

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CONSTITUTIONAL RIGHTS AND GUARANTEES, SO FAR THERE HAS NOT BEEN ANY PUBLIC INDICATION THAT THE EXECUTIVE HAS MADE EFFORTS TO COMPLY WITH JUDICIAL ORDERS TO PROVIDE INFORMATION ON DISAPPEARANCE AND DETENTION CASES, SHOW JUST CAUSE FOR PERSONS' ARRESTS AND DETENTIONS OR RELEASE PRISONERS AS ORDERED BY THE COURTS. GOA TO DATE HAS TENDED TO IGNORE WHAT APPEARS TO BE A GROWING PUBLIC CRITICISM OF ITS INTERNAL SECURITY PRACTICES AS EXPRESSED IN CERTAIN FEDERAL COURT DECISIONS AS WELL AS ELEMENTS WITHIN THE CHURCH. NOW AND WHETHER GOA INTENDS TO RESPOND TO THE COURTS REMAINS TO BE SEEN. TO DATE, THE GOVT

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HAS RELEASED NO INFORMATION IN RESPONSE TO THE SUPREME COURT'S REQUEST ON BEHALF OF 425 DISAPPEARED PERSONS WHO WERE NAMED IN A PETITION BROUGHT TO THE COURT IN APRIL.

6. JEHOVAH'S WITNESSES: A FEDERAL JUDGE HAS OVERRULED LOCAL AUTHORITIES IN CORDOBA WHO PROHIBITED TWO JEHOVAHS WITNESSES FROM REGISTERING IN A PUBLIC SCHOOL. THE JUDGE RULED THAT AUTHORITIES HAD NOT PROVEN THAT THE TWO STUDENTS HAD REFUSED TO FULFILL THEIR PATRIOTIC RESPONSIBILITIES AND THAT NO STUDENT COULD BE BARRED FROM A PUBLIC SCHOOL BECAUSE OF HIS RELIGION.

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R 171806Z MAY 77
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 0519

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C O R R E C T E D C O P Y FOR CLASS [REDACTED] VICE [REDACTED]

7. REFUGEES: [REDACTED] TOLD EMBOFF
THAT HE VISITED IN JAIL TWO URUGUAYAN REFUGEES WHO WERE
ARRESTED AT THE BUENOS AIRES AIRPORT ON MARCH 25 FOR ATTEMPTING
TO SMUGGLE SUBVERSIVE LITERATURE OUT OF THE COUNTRY IN FALSE
BOTTOM SUITCASES. [REDACTED] (PROTECT) SAID THE TWO WOMEN, WHO
HAD BEEN ON THEIR WAY TO RESETTLEMENT IN SWEDEN [REDACTED]
[REDACTED] ADMITTED CARRYING THE MATERIAL BUT CLAIMED THEY WERE
NOT SURE WHAT IT WAS. THE TWO ARE BEING HELD IN OLMOS PRISON
AND APPARENTLY HAVE BEEN SATISFACTORILY TREATED AND CAN RECEIVE
FAMILY AND UNHCR VISITS. [REDACTED] SAID THEY EXPECT TO BE TURNED
OVER TO THE REGULAR JUSTICE SYSTEM FOR TRIAL.

8. INTERIOR MINISTRY LISTS: EMBASSY REPORTED MAY 7 INTERIOR
MINISTRY LIST NAMING 68 ARGENTINE CITIZENS AUTHORIZED TO

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LEAVE THE COUNTRY, 37 PERSONS RELEASED FROM EXECUTIVE CUSTODY, ONE CHILEAN EXPELLED FROM ARGENTINA, AND 17 PERSONS DETAINED-- EIGHT FOR ECONOMIC AND 9 FOR SUBVERSIVE CRIMES. THE GOVT'S AUTHORIZATION OF 68 ARGENTINES TO OPT TO LEAVE THE COUNTRY IS BY FAR THE LARGEST NUMBER NAMED SO FAR AND IS POSSIBLY AN INDICATION THAT GOA IS ATTEMPTING TO SPEED UP THE RESOLUTION OF BORDERLINE SUBVERSIVE CASES BY PERMITTING THEM TO LEAVE THE COUNTRY. OF CASES KNOWN TO EMBASSY, CLAUDIA PEIRO, DORA GOLDFARB, AND MARIA ARGUELLO DE COLOMBO, ALL HAD BEEN DETAINED
[REDACTED]
[REDACTED]

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SINCE THE MILITARY COUP IN MARCH 1976 AND ALL HAD SUBMITTED PETITIONS TO BE ALLOWED TO EXERCISE THE OPTION TO LEAVE THE COUNTRY.

9. PRESS FREEDOM: THE ARGENTINE NEWSPAPER PUBLISHERS ASSOCIATION (ADEPA) HAS PETITIONED THE GOVT TO "CARRY OUT ITS PROMISES TO PROVIDE GUARANTEES FOR THE INFORMATIVE MISSION OF THE PRESS" IN A STATEMENT RELEASED MAY 2. REFERRING TO THE ARREST OF BA HERALD EDITOR BOB COX, ADEPA RECALLED IT HAD RAISED CONSTITUTIONAL OBJECTIONS TO VAGUE CLAUSES DEFINING INADMISSABLE TOPICS FOR PRESS COVERAGE IN ANTI-SUBVERSIVE LAW 20.840 (UNDER WHICH COX WAS CHARGED) WHEN THE LAW WAS PASSED IN 1974 AND REQUESTED THE GOVT CLARIFY THE "OFFENDING PROVISIONS." IN A SEPARATE DECLARATION, ADEPA PROTESTED THE GOVT TAKEOVER OF THE NEWSPAPER NORTE OF RESISTENCIA AND THE ARREST OF ITS EDITORS ON APRIL 19. (NORTE EDITOR JUAN CARLOS ROUSSELOT, AND SEVERAL OF THE PAPER'S DIRECTORS WERE PLACED AT THE DISPOSITION OF MILITARY AUTHORITIES FOR "ENGAGING IN BUSINESS ACTIVITIES OF A SUBVERSIVE NATURE." AN ARMY COMMUNIQUE CHARGED THE PAPER WITH LAUNCHING A SENSATIONALIST CAMPAIGN AGAINST PROVINCIAL BANK OFFICIALS AND ADDED THAT ROUSSELOT HAD BEEN CONNECTED WITH FORMER OFFICIALS OF THE SOCIAL WELFARE MINISTRY AND OTHER PERONISTS WHO ARE NOW UNDER INVESTIGATION FOR CRIMES OF SUBVERSION AND CORRUPTION.) ADEPA DESCRIBED THE NORTE TAKEOVER AS AN ATTACK AGAINST CONSTITUTIONAL FREEDOMS WHICH INCLUDE THE "NORMAL EXERCISE OF THE RIGHT TO CRITICIZE OFFICIAL ACTS." ADEPA ALSO PROTESTED THE ARREST WITHOUT CHARGE OF JOSE ESTEVAO AND SANTIAGO SERVIR, EDITORS OF A BUENOS AIRES PROVINCIAL PAPER, AND THE DISAPPEARANCES OF MENDOZA EDITOR JUAN RAMON SALOMON AND ENRIQUE RAAB. BA HERALD EDITORIAL WRITER JAMES NEILSON WROTE APRIL 28 THAT, EVEN IF THE ARRESTS AND DISAPPEARANCES ARE DUE TO ACTIVITIES NOT

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RELATED TO THE JOURNALISTS' PROFESSIONS, THEY LEAVE THE IM-
PRESSION THAT THE ARGENTINE PRESS IS THE TARGET OF A SYSTEMATIC
CAMPAIGN BY ITS ENEMIES. THOUGH HE SAID HE DOES NOT BELIEVE
A CONCERTED ANTI-PRESS CAMPAIGN IS THE MOTIVE, NEILSON SAID
[REDACTED]
[REDACTED]

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GOVT ACTIONS SUCH AS COX' ARREST BASED ON A VAGUELY WORDED LAW,
WILL FURTHER INTIMIDATE JOURNALISTS INTO SELF-CENSORSHIP.
(ADEPA VICE PRESIDENT CARLOS LAGOS AND THE PRESIDENT OF THE
PROVINCIAL NEWSPAPERS ASSOCIATION JOSE FERIS WERE INCLUDED IN
PRESIDENT VIDELA'S OFFICIAL DELEGATION TO VENEZUELA MAY 11-15.)

10. PEREZ ESQUIVEL: THE SON OF DETAINED EDITOR ADOLFO PEREZ
ESQUIVEL VISITED EMBOFF APR 28 TO EXPRESS CONCERN OVER RECENT
LONDON SUNDAY TIMES ARTICLE WHICH ERRONEOUSLY REPORTED THAT
PEREZ ESQUIVEL HAD DISAPPEARED AND HIS FAMILY ARRESTED. FATHER
REMAINS DETAINED AT THE DISPOSITION OF THE EXECUTIVE IN BUENOS
AIRES, BUT, ACCORDING TO SON, HIS ARREST WAS OPEN AND CORRECT
AND THE FAMILY CONTINUES FREE, ABLE TO VISIT HIM IN JAIL AND TO
EDIT HIS PACIFIST MAGAZINE PAZ Y JUSTICIA. EMBOFF ADVISED
BRITISH EMBASSY OF PEREZ ESQUIVEL'S STATUS AND FAMILY CONCERN
WITH ERRONEOUS PRESS REPORT.
CHAPLIN
[REDACTED]

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